

money so it can be used for education. They did not talk about standards and accountability, the fact we are going to take up these bills, the elementary school and secondary education bill, or Social Security, where we have done something about the proposal there, or the Taxpayer Bill of Rights.

It is interesting; when they talk about some of the things they would like to see happen, they somehow forget about the things we have done. I guess that indicates we do have a different view. It is proper. It is perfectly legitimate to have a different view about how we accomplish the things we are about.

Mr. President, I yield to the Senator from Oklahoma such time as he may consume.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I thank the Senator from Wyoming for yielding.

#### THE IMPORTANCE OF VIEQUES

Mr. INHOFE. Mr. President, I do want to talk about some of the tax ramifications, today's subject. I think it is very significant.

Prior to doing that, though, we have an issue that is current, rather sensitive, and is rather serious in terms of our Nation's security.

Tomorrow, the committee I chair, the Readiness Subcommittee of the Senate Armed Services Committee, will be holding a hearing to review the national security requirement for continued training operations of the naval facility off the island of Puerto Rico called Vieques. It is a very important issue, military readiness, with the lives of military personnel on one side of the debate and the interests of the local community on the other.

At this point, I remind the President that for 57 years we have used this island of Vieques, an island that is approximately 20 or 25 miles wide, one small area way over on the east end of this island as a range, a bombing range—57 years. During that time, we have lost the lives of one person, who was a civilian employee working for the Navy. This happened last April and created quite a bit of hysteria. There are many people trying to use this as an excuse to close down the range that is so vital to our interests.

We have seen all the press reports outlining the concerns of those who oppose the military's use of the island. We have also witnessed the introduction of legislation to close this range. Unfortunately, far less attention has been given to the national security requirement for continued access to the training provided by this range. In fact, I have not heard anyone address the increased risk to our Nation's youth who serve in uniform and what they will face if we send them into combat without the benefit of the training that is offered only at Vieques Island. The subcommittee will be meet-

ing tomorrow to explore the requirements of this language.

It is my hope that once the panel, appointed by the Secretary of Defense to review this matter and make recommendations for appropriate resolution, issues its report, the committee will be able to then meet to review those recommendations and hear from the people of Puerto Rico as well as the military.

The Secretary of the Navy recently released a report, prepared by two of its senior officers, which examines our training activities on Vieques and explores potential alternative training sites. Although no alternative site has yet been identified that would replace the training Vieques provides, I understand the panel appointed by the Secretary of Defense and by the President continues to seek a resolution to this issue.

I will read a couple paragraphs out of the Navy report prepared by those individuals. I think it is very significant:

The Inner Range at Vieques is the only range along the Atlantic seaboard that can accommodate naval gunfire, the only range at which strike aircraft are afforded the use of air-to-ground live ordnance with tactically realistic and challenging targets and airspace which allows the use of high altitude flight profiles.

This is very similar to what we witnessed in Kosovo, and they were very successful. Even though to begin with we should not have been involved, it was necessary to use high-altitude bombing to be out of the range of surface-to-air missiles. We did that successfully, and they received their training at Vieques. I do not know what the degree of success would have been otherwise.

Continuing from the report:

It is the only range at which live naval surface, aviation and artillery ordnance can be delivered in coordination. Additionally, Vieques is the only training venue that can accommodate amphibious landings supported by naval surface fires. . . .

It continues and talks about how this is the only facility we have, and if we do not have this facility, we are going to be deploying troops into areas without proper training. One of the conclusions of the report is:

This study has reaffirmed that the Vieques Inner Range provides unique training opportunities vital to military readiness, and contributes significantly to the ability of naval expeditionary forces to obtain strategic objectives. This study examined alternative plausible sites and concluded that none, either in existence or yet undeveloped, would provide the range of training opportunities at Vieques Inner Range.

The U.S.S. *Eisenhower* is going to be deployed in February to the Arabian Gulf and to the Mediterranean to do just this type of exercise and will be called upon to do something to defend this country when they will not have had the proper training from Vieques because right now there is a moratorium and the U.S.S. *Eisenhower* has not had the opportunity to have that training.

Any resolution must provide the military with the ability to achieve the same level of proficiency that the training operations at Vieques currently provide. Any proposal to move operations to a phantom or an unidentified site as of yet is unacceptable. Before any decision is made to move operations from Vieques, a specific alternative site must be identified and all actions necessary to make it functional, from environmental studies to military construction, must be completed. Failure to identify a specific site and make it available will simply prove the validity of the Navy's position that no viable alternative exists. Therefore, any decision to continue the use of Vieques, but at a reduced level of operations, must still allow the military to perform the training necessary to meet the required wartime proficiency.

I fear that a decision is going to be made based on politics rather than national security. I am concerned that this administration may take action that will place at risk the lives of sailors and marines simply to court the popular vote in favor of candidates with close ties to this President.

One only has to look back at the recent decision to release terrorists from prison to fully appreciate the extent to which this President is willing to place American lives and interests at risk in order to garner votes for his friends and family. The inappropriate politicization of the issue has already been demonstrated by the Justice Department and the U.S. attorney's office in Puerto Rico which have refused take necessary action to protect the lives of American citizens.

As many of my colleagues already know, as we speak today, there are protesters over there, some four groups of protesters, who are on the live range with live ordnances. I had occasion to spend a good bit of the recess looking at this. I have been over every inch of the island either by helicopter or by car or on foot. I have seen the protesters out there throwing around live ordnances. Just imagine, in 57 years, how much is out there. One particular individual came out carrying a live ordnance and tried to get on a commercial aircraft, which would have killed everybody on the aircraft.

It is a very serious thing, and I cannot believe our Justice Department has refused to enforce the laws of trespassing on Federal military Government property. I hope these explosives do not fall into the hands of some of the terrorists the President recently released from prison.

One thing about this issue is certain. The primary mission of Roosevelt Roads is to support training operations at Vieques. If military access to Vieques is eliminated, the value of Roosevelt Roads will be greatly reduced, and those functions, other than supporting this range, can be performed very well in other areas where there is excess capacity.

The U.S. military cannot afford to fund a base that provides little or no benefit to national security. Therefore, today I have introduced S. 1602, legislation which will close naval station Roosevelt Roads at such time as the military terminates military operations at Vieques, if that should become a reality.

I have seen this. I have become convinced. Our hearing tomorrow will either disprove or prove what I am saying today—that it is absolutely necessary to have the benefits of this range and that there is no place else we have in our arsenal, no other range, that provides the type of training that will save American lives. If we send in our troops, as we are preparing to do right now on the U.S.S. *Eisenhower*, and they get involved in some kind of a problem and do not have the benefit of the training at Vieques as those who participated in Kosovo, it could certainly cost American lives, and we will be sending our troops at far greater risk, which I weigh and measure in terms of human life.

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. INHOFE. I am happy to yield to the distinguished chairman of the Armed Services Committee.

Mr. WARNER. Mr. President, I thank my colleague, the chairman of the subcommittee of jurisdiction over this issue, for spending the time on a careful analysis of this very important problem. We will have the hearing tomorrow. We consulted on this, and I am hopeful that he will consider a follow-on hearing, because as I look over tomorrow's agenda, given the time we have, it is my view that we will need a subsequent hearing on this.

Mr. INHOFE. Let me respond to the chairman. In the subcommittee, we are only going to address what alternatives there are, why it is critical. There are far more things to consider. It is my hope the full committee that my colleague chairs will hold a hearing.

Mr. WARNER. Mr. President, I agree that we will look at the policy issues involved. At the moment, we need to have a record before the Senate on the absolutely vital nature of this range to the very safety of individual service persons, primarily those flying aircraft, but in every respect those in the Marine Corps doing amphibious work.

Mr. President, we cannot send, as the Senator from Oklahoma said, these individuals into harm's way without adequate training. We are doing that with the next battle group, as you pointed out.

So I think we should advise the Senate of the hearing tomorrow, the importance of that, the subsequent hearing, maybe at the subcommittee level, depending on further readiness aspects, and then the full committee on a policy issue.

Mr. INHOFE. I agree with the Senator.

Mr. WARNER. I thank the Senator.

I had the opportunity last night to be with the President—Senator DOMENICI

and I—with regard to the debate that we will have tonight on the conference report of the authorization bills of the Senate and the House, and I brought this subject up.

I ask unanimous consent that at the conclusion of the colloquy with the Senator from Oklahoma my letter to the President, which I discussed with him last night on the VA issue, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. WARNER. I am sure you mentioned that across the board the uniformed side of the Department of Defense stands foursquare with the comments that you have made today. I have had consultations, as you have had, with the Chief of Naval Operations, the Commandant of the Marine Corps, General Shelton, the Chairman, and others, on this issue.

This is an issue that I have had considerable familiarity with for many years—when I was the Under Secretary and Secretary of the Navy in 1968, 1969, 1970, 1971, and 1972. We had recurring problems of this nature down at Vieques. We constantly worked with the political structure at that time to resolve the problems.

But I think you are absolutely correct. At the moment, we have to regain control of this range for training purposes. I hope the commission—the several officers looking at this—will come forward with a program that will indicate to the Puerto Ricans we want not to be offensive to the people of Puerto Rico but to indicate the need for this area and, hopefully, to have some program by which we can meet the desires of all parties to work it out in some way.

At this moment, I am not prepared to indicate what the workout should be. I want to study the report of this commission. The Senator from Oklahoma and I should have private consultation with the Secretary of Defense and others. But let's see what we can do to meet the requirements of all parties involved but focusing on the essential nature of this range to America's readiness of its Naval and Marine Corps forces and embarking periodically to trouble spots in the world from the East Coast.

I thank the Senator.

Mr. INHOFE. I thank the Senator from Virginia.

I would only say that it is not very often you get total agreement from all of the commanders in the field, all of the CINCs in the field, as well as all the chiefs. All four chiefs are on record right now saying this is absolutely necessary to have as part of our training.

One of the things I have been trying to do is to quantify in terms of American casualties when you go from low to high to very high risk—what that means. There is no question there is not one who will not say if we send our troops in there without this very valuable training that they can only get at

the Vieques, it is going to be at a higher risk, which means American lives.

I certainly hope the people of Puerto Rico understand we are talking about their lives, too. So we should all be focused on the same thing.

Mr. WARNER. I presume you include in your remarks direct reference to the Navy and Marine Corps aviators who flew missions in Kosovo, who are flying tonight and tomorrow and for the indefinite future missions with regard to the containment of Iraq, in many instances in hostile fire. Tonight, tomorrow, and the next day—

Mr. INHOFE. Yes.

Mr. WARNER. For the indefinite future, we are asking them to endure this hostile fire. And from time to time they have to drop live ordnance to protect themselves in fulfillment of this containment mission over Iraq.

Mr. INHOFE. I did allude to that.

I suggest to the Senator from Virginia also the fact that the successes we had in Kosovo were directly related to the Vieques. The last place they got training before going into Kosovo was at the Vieques.

Mr. WARNER. I thank the Senator.

Mr. INHOFE. I yield the floor, Mr. President.

EXHIBIT NO. 1

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, September 20, 1999.

The PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: As Chairman of the Senate Armed Services Committee, I write to express my grave concern over the future of the United States Navy's training facility located on the Puerto Rican Island of Vieques. Ever since I was the Secretary of the Navy, I have worked to keep this facility available to the Department of Defense.

The last two east coast carrier battlegroups which deployed to the Adriatic and Arabian Gulf, completed final integrated live fire training at Vieques. Both battle groups, led by the carriers U.S.S. *Enterprise* and U.S.S. *Theodore Roosevelt*, saw combat in Operations Desert Fox (Iraq) and Allied Force (Kosovo) within days of arriving in theater. Their success, with no loss of American life, was largely attributable to the realistic and integrated live fire training completed at Vieques. This island is unique in character, both in terms of its geography, with deep open water and unrestricted airspace, and its training support infrastructure. The training range is absolutely vital to our readiness, and there is no replacement facility available.

Without a doubt, America enjoys the best trained, best equipped and most motivated military force in the world. But combat skills, practiced at Vieques, are perishable. Aviators must hone targeting and weapons delivery skills; ammunition leaders and flight deck personnel must coordinate weapons assembly and leading; naval surface fire support teams must integrate calls for fire support with ground units; gunfire spotters must refine targeting skills; and ground units must practice the seamless transfer of command ashore. The Armed Forces have learned these lessons well. Untrained forces are exposed to higher casualty rates and experience less mission success.

Mr. President, I urge you to take no action which limits or degrades our Armed Force's

ability to properly and thoroughly prepare for the challenges they face in today's world.

The Chairman of the Joint Chiefs of Staff, General Shelton, who testified before the Senate Armed Services Committee last week, confirmed the continuing requirement for live fire training operations at Vieques.

Due to the moratorium on training on Vieques, the next carrier battlegroup is deploying with reduced combat readiness in its airwing and naval surface fire support capability. I encourage you to now signal your support for all the men and women of our Armed Forces by allowing the critical live fire training at Vieques to continue.

With kind regards, I am,

Respectfully,

JOHN WARNER,  
Chairman.

COMANDER IN CHIEF,  
U.S. ATLANTIC COMMAND,  
August 27, 1999.

Hon. WILLIAM S. COHEN,  
Secretary of Defense, 1000 Defense Pentagon,  
Washington, DC.

DEAR MR. SECRETARY, I can appreciate the difficulty of adjudicating the competing desires of groups for the use of Vieques Island. It is important to me to be clear . . . Vieques training area is not just nice to have . . . it is part of the complex training regime that allows us to send our men and women into harms way with a clear conscience. As I mentioned to you in my July Quarterly Issues and Activities Report, the moratorium on this live fire training will have an impact on the readiness of military forces assigned to U.S. Atlantic Command and on the quality of the joint forces that I provide worldwide to the other CINCs.

Continued access to the Vieques training area, because of its geographic location and access to base support, provides us with a unique ability to conduct year-round integrated live fire training. The island is one of the few locations in the world where carrier battle groups can conduct high volume ordnance training, from "magazine to target." It is the only East Coast facility that offers a live fire land target complex with unencumbered access to airspace and deep-water sea space. Shifting portions of this training to other locations would degrade the quality of training while increasing the OPTEMPO for our East Coast forces.

I firmly believe that we have a critical need for this live fire and combined arms training to fulfill my responsibility of providing trained and ready joint forces worldwide. Part of the equation in this complex case must be, I believe, a requirement to identify a suitable alternative before we restrict this realistic training in any way.

I support the effort to retain the Vieques training area and to continue this mission essential training. Combined and integrated live fire training on the island is a valid joint warfighting requirement. I am willing to assist in any way necessary to resolve this readiness issue.

Very respectfully,

H.W. GEHMAN, Jr.,  
Admiral, U.S. Navy.

CENTRAL COMMAND,  
OFFICE OF THE COMMANDER IN CHIEF,  
MacDill Air Force Base, FL.

Gen. HENRY H. SHELTON, USA,  
Chairman of the Joint Chiefs of Staff, 9999 Defense Pentagon, Washington, DC.

DEAR GENERAL SHELTON: As the issue of the Vieques Island Training Range continues to be debated, I wanted to offer the CENTCOM perspective. Live fire training at the Vieques Training Range is vital to the readiness of naval forces assigned to U.S. Central Command. As you know, the Vieques

training range is the only Atlantic Fleet live-fire range where land, sea, and air forces can practice combat operations. Although the range closure potentially affects several warfighting areas, the most serious and immediate degradation would occur in our ability to conduct precision air to ground strike.

If the Vieques Training Range does not reopen soon, we can anticipate less effective air to ground weapons delivery accuracy in the early stages of our newly deploying battle groups. Vieques is the only U.S. range that can support the kind of high altitude TACCAIR ordnance delivery that we regularly employ in Operation Southern Watch. It is the only Atlantic Fleet range with airspace and facilities that can support full air to ground and Naval Surface Fire Support (NSFS) training from planning, to execution, to debrief. This training is an absolute necessity to prepare our ships, aircraft, and aircrews for ongoing operations (Southern Watch), short-notice contingencies or MTW operations.

Although we have not recently seen the use of naval gunfire in surface engagements or in support of forces ashore, it is a capability our ships do and should routinely exercise. NAVCENT will experience the first effects of not having this training when U.S.S. *John Hancock* in-chops on 18 October. The degradation of this ship is not significant in terms of present operations and can be partly mitigated by other means, however this shortcoming will continue to grow and will degrade our standard of readiness for combat operations.

It is imperative that Atlantic Fleet ships and Navy and Marine Corps aircraft have access to realistic training ranges in support of their NSFS and air to ground qualifications. Forces deployed to the CENTCOM AOR have faced the very real potential for combat operations everyday. These forces must be prepared to fight and win upon arrival in theater. The Commander, Marine Corps Forces, Atlantic, and Commander, Second Fleet have always provided me, and other Unified Commanders, with battle ready forces essential to the successful execution of our mission. Short of development of a fully functional alternative range or training process, we must reopen Vieques and allow our forces to receive this critical training prior to facing real world operations and contingencies in our theater.

Respectfully,

A.C. ZINNI,  
General, U.S. Marine Corps.

Gen. HENRY H. SHELTON,  
Chairman of the Joint Chiefs of Staff, Pentagon,  
Washington, DC.

AUGUST 23, 1999.

DEAR GENERAL SHELTON, I have followed with interest and concern recent events in Vieques and Puerto Rico and their potential impacts on Southern Command and fleet readiness. This controversy has come at a crucial time for SOUTHCOM as our components depart Panama and activate their new Headquarters on Puerto Rico. Fortunately, up to this point unit relocations and Vieques ranges have been treated as separate issues on the island and by the press here in Miami which has considerable influence in San Juan.

By virtue of past assignments, I am familiar with the importance of Vieques to Fleet and Fleet Marine Force readiness. Working through contacts on Puerto Rico, I have tried to assist the Navy by creating increased awareness of the unique and vitally important nature of the training that is conducted on Vieques. While doing so, I have emphasized the creative steps the Navy has taken or is considering to ensure the health and safety of Vieques residents and to pro-

mote the economic development of the island. Unfortunately, I have yet to receive an encouraging response from even our most consistent and energetic supporters. I have also followed closely efforts to identify alternative training sites to Vieques Island. Thus far, no suitable alternative has surfaced.

Though Southern Command has a minimal stake in the training that is conducted on Vieques, I am compelled to voice my support for the Navy/Marine Corps cause. I have followed closely efforts to identify alternative training sites to Vieques Island. Due to a variety of hydrographic, geographic and other considerations these efforts have not yet borne fruit.

Whether the solution is Vieques or some other site in the SOUTHCOM AOR, I am prepared to assist in any way that I can as we strive to ensure that our forward-deployed forces maintain their combat edge.

Very respectfully,

C.E. WILHELM,  
General, U.S.M.C., Commander in Chief,  
U.S. Southern Command.

COMMANDER IN CHIEF,  
U.S. EUROPEAN COMMAND,  
August 16, 1999.

Gen. HENRY H. SHELTON,  
Chairman of the Joint Chiefs of Staff, Pentagon,  
Washington, DC.

DEAR GENERAL SHELTON: Wanted to take this opportunity to address an issue of importance to the readiness on naval forces assigned to the European command—live fire training at Vieques Island, Puerto Rico.

Concerned that with the current moratorium on training at Vieques, the naval forces that will be assigned to EUCom in the future may not be fully combat ready to perform their assigned missions. As you know, during the recent conflict in the Balkans the U.S.S. *Theodore Roosevelt* battlegroup arrived on station, and within hours of arrival was conducting sustained combat operations. The level of precision and low collateral damage achieved by naval forces during the Kosovo conflict was possible primarily due to the realistic live fire strike warfare training the carrier battlegroup completed at Vieques just before their deployment.

Similarly, the 26th MEU assigned to the U.S.S. *Kearsarge* Amphibious Ready Group also performed flawlessly during the Kosovo conflict. Although Marines were not committed ashore in an opposed battlefield environment, our Marines were fully prepared to conduct force entry operations if the situation would have required an amphibious capability under combat conditions. Clearly, the coordinated and integrated operational training that they received in a live fire environment at Vieques was instrumental in preparing our Marines for Kosovo and the combat conditions they encountered as they entered Yugoslavia. Remain deeply appreciative of the efforts of Commander, Second Fleet and Commander, Marine Forces Atlantic to provide me, and the other Unified Commanders with the most battle ready force possible, one that is combat ready and can win on the sea, in the air, and on the ground.

Firmly believe that there is an enduring need for live fire training. We fight like we train, and a great measure of the success our forces achieved in Kosovo can be directly attributed to the realistic training environments in which they prepared for combat. The live fire training that our forces were exposed to at training ranges such as Vieques helped ensure the forces assigned to this theater were "ready on arrival" and prepared to fight, win, and survive. To provide our Soldiers, Sailors, Marines, and Airmen with less than this optimum training in the future would be unconscionable, cause undue

casualties, and place our nation's vital interests at risk.

Realistic training under live fire conditions is a necessity to ensure our men and women are afforded every possible advantage over their potential adversaries.

Sincerely,

WESLEY K. CLARK,  
General, USA.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Has the Senator from Virginia concluded his comments?

Mr. WARNER. Correct.

Mr. THOMAS. I yield to the Senator from New Hampshire as much time as he needs.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. I thank the Senator from Wyoming for his courtesy in yielding to me.

#### OUR DOMESTIC TERRORISM POLICY

Mr. GREGG. I rise today to talk about the recent clemency decision, pardon decision by the President, relative to 16 Puerto Rican terrorists. This occurred on September 10.

There has been a lot of discussion in the newspapers and amongst people generally as to the reasons for this, as to the background of why this occurred, and as to the political implications within the election cycle as to what were the real causes. But that is not what I want to talk about.

What I want to talk about is the effect of this action by the President on our domestic terrorism policy and our preparedness to deal with domestic terrorism. The committee that I chair, the Commerce-State-Justice Committee, has spent a great deal of time trying to build an infrastructure to address the threat of terrorism.

Regrettably, we know as a nation that some time in the coming years we will be subjected to another terrorist attack. That is the nature of the times that we live in. Regrettably, it is even possible that such an attack may be a chemical or biological attack or an even more threatening attack.

We have attempted over the last 3 years to develop a coherent, thoughtful strategy for how to get ready for, to anticipate, and to hopefully interdict an attack and, should an attack occur, to respond to such a terrorist event. We have set up a system of developing a policy of addressing the issue of terrorism as a result of that.

The decision by the President to free these terrorists who were jailed for terrorist activity has fundamentally undermined this effort at reforming and preparing for the terrorist threat in the United States.

Stated simply, the question has to be: How can you claim you are being tough on terrorism if you free terrorists from your jails?

Today, we held a hearing in my committee, in the committee that I chair.

We heard from the director at the FBI, Neil Gallagher, the director of the bureau dealing with terrorism. He is their expert on it. And we heard from Patrick Fitzgerald, the head of the terrorism bureau in the U.S. attorney's office in the city of New York. These two individuals talked about the policy implications and the effect of the decision by this President to free these terrorists.

I want to review a little bit of what the testimony was because it was startling and it was serious, and it shows that the implications of this decision by the President could have a very broad-reaching impact on the lives of Americans.

First off, we discussed the issue of what type of terrorist act these folks participated in relative to the decision for clemency. The decision for clemency has been represented in the press by the White House public spokespersons as having been made because these people were not actually involved in a violent act or, if they were involved in a violent act, they were not charged with participating in a violent act; therefore, they really were not that bad is essentially the defense that the administration makes for giving clemency to these 16 terrorists.

First off, it should be pointed out the FBI agent recited that these individuals participated in activities which led to the death of five different individuals as a result of bombings and terrorist attacks, which also led to the injury of 83 individuals, many of them U.S. service people who were directly attacked by the organization, the FALN, that also represented millions of dollars of property damage and spanned a period of approximately 10 years of violent action against the United States, citizens of the United States, and military and police personnel of the United States, leading to the death and the maiming of American citizens by the actions which were participated in by these 16 individuals. Yes, they were charged and convicted, in most instances, of something less than actually pulling the trigger—no question about that.

So I asked the U.S. attorney from New York, what was Sheikh Abdul-Rahman, who was the orchestrator of the World Trade Center bombing, charged with? Was he present at the scene? Did he pull the trigger? Did he light the fuse that blew up the World Trade Center?

Of course, the U.S. attorney said, no, he was not there. He is blind. He was charged with seditious conspiracy—the same thing that the Puerto Rican terrorists from the FALN were charged with.

Then I asked him: What was Terry Nichols charged with, who was not at the scene of the explosion in Oklahoma City where so many Americans were killed but, rather, who aided the individual who undertook that specific act? And he said he was charged with seditious conspiracy.

Then I asked, if we bring to trial Osama bin Laden—and an indictment has been brought back against Osama bin Laden—who perpetrated the attacks on the American embassies in Kenya and Dar es Salaam—and that indictment is not for lighting the fuse or being at the scene of the crime but for conspiracy to participate in the crime—all of these major terrorists who have caused huge harm to American citizens and to the American institution of Government, to our free democratic form of government were not on the scene of the crime any more than were the Puerto Rican terrorists, at least as they were charged and convicted. Rather, they were all, with the exception of Bin Laden because he wasn't American, he wasn't on American soil. But the tenor of the charges being, they were all essentially charged with seditious conspiracy—all 16, I believe, FALN members, the sheik, Mr. Nichols, and Bin Laden.

So if the logic of the White House is—the logic of the President is—well, these aren't such bad people because they weren't convicted of actually killing the police officers, of actually maiming the police officers, of actually undertaking the heist of the armored cars, of actually attacking the U.S. Navy personnel and killing them, of actually killing the individual, Mr. Connor, in Chicago, of actually maiming the 83 other people who had been injured by these folks, because they weren't actually charged and convicted of that, and therefore they should be given clemency because their charge is a lesser charge, then the White House and the President are going to have to explain why the White House, why the President, is not giving clemency to Sheikh Abdul-Rahman, Terry Nichols, and why they are even going forward with the prosecution of Bin Laden.

The defense of the White House on that point simply does not stand. These people participated in acts of terrorism, orchestrated acts of terrorism, and should not be let out early as a result of having not been convicted of actually being physically on the site of the terrorist event any more than we should let out Sheikh Abdul-Rahman, Terry Nichols, or Bin Laden should we be successful in prosecuting and convicting him.

That was the first point. But it flows into the second point, which is, What is the effect of these clemencies on our ability as a nation to defend ourselves against other terrorist acts?

The U.S. attorney from New York made a lot of excellent points. He said they are going to keep working hard, they are going to keep trying to prosecute, and they will aggressively prosecute to the fullest extent of their ability any terrorist they can charge and convict. And I congratulate them for that. But he also made the point, he said, you know, their decision could be misconstrued in foreign capitals around the world, and this decision for clemency could have an impact on how